

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

SPECTRUM WT, *et al.*,
Plaintiffs,

v.
WALTER WENDLER, *et al.*,
Defendants.

No. 2:23-cv-00048

**APPENDIX TO DEFENDANTS’
BRIEF IN SUPPORT OF PRIORITY MOTION TO DISMISS**

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EXHIBIT A

DECLARATION OF DIANE BRICE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

SPECTRUM WT, BARRETT BRIGHT,
And LAUREN STOVALL,
Plaintiffs,

v.

WALTER WENDLER, *et al.*,
Defendants.

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CIVIL ACTION NO. 2:23-cv-00048-Z

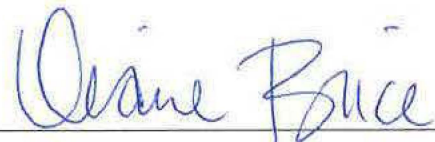
DECLARATION OF DIANE BRICE

I, Diane Brice, declare as follows:

1. I am the Registrar of West Texas A&M University ("WT").
2. On August 27, 2025, I reviewed the records of WT as to the current enrollment status of the individual plaintiffs in this action. Such records are made at or near the time by, or from information transmitted by, persons with knowledge; maintained by WT in the course of a regular activity of the organization; and making such records is a regular practice of WT. I have custody of such records.
3. Based on such records, I determined that Plaintiff Barrett Bright graduated from WT in May 2024 and is no longer enrolled as a student at WT.
4. Based on such records, I determined that Plaintiff Lauren Stovall is no longer enrolled in any capacity as a student at WT.

I declare under penalty of perjury that the foregoing is true and correct pursuant to 28 U. S. C. § 1746.

Executed this 29 day of August, 2025.



DIANE BRICE

EXHIBIT B

DECLARATION OF CHRISTOPHER THOMAS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

SPECTRUM WT, *ET AL.*,
PLAINTIFFS,
V.
WALTER WENDLER, *ET AL.*,
DEFENDANTS.

No. 2:23-cv-00048

DECLARATION OF DR. CHRISTOPHER THOMAS

I, Dr. Christopher Thomas, declare as follows:

1. I am the Vice President of the Division of Student Affairs at West Texas A&M University ("WT") and a defendant in the above action.
2. As part of my duties at WT, I have access to WT's records regarding student organizations that have applied to use, or made reservations to use, on-campus facilities of WT such as Legacy Hall. On September 3, 2025, I reviewed these records of WT. Such records are made at or near the time by, or from information transmitted by, persons with knowledge; maintained by WT in the course of a regular activity of the organization; and making such records is a regular practice of WT. I have custody of such records.
3. Based on such records, I determined that Plaintiff Spectrum WT has no current or pending applications or completed reservations to use Legacy Hall or any other on-campus facilities of WT for a drag show or similar performance for the remainder of 2025 or for 2026.
4. Based on such records, I determined that no other student organization, student group, or student at WT has any current or pending applications or completed reservations to use Legacy Hall or any other on-campus facilities of WT for a drag show or similar performance for the remainder of 2025 or for 2026.

I declare under penalty of perjury that the foregoing is true and correct pursuant to 28 U. S. C. § 1746.

Executed this 4th day of September, 2025.

Chris Thomas
DR. CHRISTOPHER THOMAS

Date: September 5, 2025

Respectfully submitted.

KEN PAXTON
Attorney General of Texas

/s/ David Bryant

DAVID BRYANT
Special Counsel
Tex. State Bar No. 03281500

BRENT WEBSTER
First Assistant Attorney General

MUNERA AL-FUHAID
Special Counsel
Tex. State Bar No. 24094501

RALPH MOLINA
Deputy First Assistant Attorney General

RYAN D. WALTERS
Deputy Attorney General for Legal Strategy

ZACHARY BERG
Special Counsel
Tex. State Bar No. 24107706

RYAN G. KERCHER
Chief, Special Litigation Division

OFFICE OF THE ATTORNEY GENERAL
P.O. Box 12548 (MC-009)
Austin, Texas 78711-2548
Tel.: (512) 463-2120
Fax: (512) 320-0667
david.bryant@oag.texas.gov
munera.al-fuhaid@oag.texas.gov
zachary.berg@oag.texas.gov

CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice of such filing to all registered CM/ECF users.

/s/ David Bryant

DAVID BRYANT